

## HOUSE BILL NO. 780

INTRODUCED BY J. SINRUD

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A LEGISLATIVE BRANCH PERSONAL SERVICES RESERVE ACCOUNT; TRANSFERRING MONEY FROM THE GENERAL FUND TO THE RESERVE ACCOUNT; PROVIDING A STATUTORY APPROPRIATION; AMENDING SECTION 17-7-502, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Legislative branch personal services reserve account.** (1) There is a legislative branch personal services reserve account in the state special revenue fund.

(2) The money in the account is statutorily appropriated, as provided in 17-7-502, to the legislative services division to be used only for payment of unused annual leave, sick leave, and compensatory time for employees who terminate employment with the legislative branch.

(3) The money in the account must be invested pursuant to Title 17, chapter 6. Interest and other income earned on the account must be deposited in the account.

**NEW SECTION. Section 2. Fund transfer.** By August 1, 2005, there is transferred \$145,261 from the general fund to the legislative branch personal services reserve account provided for in [section 1].

**Section 3.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-151; 2-17-105; section 1  
1; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; 15-23-706; 15-35-108;  
15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-11-404; 17-3-106; 17-3-212; 17-3-222; 17-3-241;  
17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506;  
19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-5-306; 23-5-409; 23-5-612; 23-5-631; 23-7-301;  
23-7-402; 37-43-204; 37-51-501; 39-71-503; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703;  
53-24-108; 53-24-206; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416;  
80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-3-1003; 90-6-710; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying,  
and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the  
laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state  
treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an  
amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation  
authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates  
on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of  
19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10  
years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant  
to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 2 and 5, Ch. 481, L. 2003, the inclusion of 90-6-710 terminates  
June 30, 2005; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion  
of 15-35-108 terminates June 30, 2010; and pursuant to sec. 135, Ch. 114, L. 2003, the inclusion of 2-15-151  
terminates June 30, 2005.)"

**NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2005.

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